
No. 2022-1521

**United States Court of Appeals
for the Federal Circuit**

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA,
Appellant,

v.

UNITED STATES INTERNATIONAL TRADE COMMISSION,
Appellee,

GENERAL ELECTRIC COMPANY, SAVANT TECHNOLOGIES LLC,
HOME DEPOT PRODUCT AUTHORITY, LLC, HOME DEPOT U.S.A.,
INC., THE HOME DEPOT, INC., IKEA SUPPLY AG, IKEA U.S.
RETAIL LLC, IKEA OF SWEDEN AB, SATCO PRODUCTS, INC.,
GLOBAL VALUE LIGHTING, LLC, SIGNIFY NORTH AMERICA
CORPORATION, FEIT ELECTRIC COMPANY, INC.,
Intervenors.

Appeal from the United States International Trade Commission
Investigation No. 337-TA-1220

**UNOPPOSED MOTION FOR LEAVE TO
INCREASE NUMBER OF ARGUING COUNSEL**

Jay Reiziss
Alexander P. Ott
McDERMOTT WILL & EMERY LLP
The McDermott Building
500 North Capitol Street, NW
Washington, DC 20001
Phone: (202) 756-8000
Fax: (202) 756-8087

Kal K. Shah
Simeon Papacostas
BENESCH, FRIEDLANDER, COPLAN &
ARONOFF LLP
71 South Wacker Drive, Suite 1600
Chicago, IL 60606
Phone: (312) 212-4979
Fax: (312) 767-9192

FORM 9. Certificate of Interest

Form 9 (p. 1)
July 2020

UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT

CERTIFICATE OF INTEREST

Case Number 22-1521

Short Case Caption The Regents of the University of California v. ITC

Filing Party/Entity Feit Electric Company, Inc. (Intervenor)

Instructions: Complete each section of the form. In answering items 2 and 3, be specific as to which represented entities the answers apply; lack of specificity may result in non-compliance. **Please enter only one item per box; attach additional pages as needed and check the relevant box.** Counsel must immediately file an amended Certificate of Interest if information changes. Fed. Cir. R. 47.4(b).

I certify the following information and any attached sheets are accurate and complete to the best of my knowledge.

Date: 01/30/2023

Signature: /s/ Jay Reiziss

Name: Jay Reiziss

FORM 9. Certificate of Interest

Form 9 (p. 2)
July 2020

[illegible]☐ Additional pages attached

FORM 9. Certificate of Interest

Form 9 (p. 3)
July 2020

4. Legal Representatives. List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities. Do not include those who have already entered an appearance in this court. Fed. Cir. R. 47.4(a)(4).

☐ None/Not Applicable ☒ Additional pages attached

McDermott Will & Emery	Benesch Friedlander Coplan & Aronoff	Jay H. Reiziss
Alexander P. Ott	Kal K. Shah	Simeon G. Papacostas
Charles M. McMahon	Thomas M. DaMario	Colin J. Stalter

5. Related Cases. Provide the case titles and numbers of any case known to be pending in this court or any other court or agency that will directly affect or be directly affected by this court's decision in the pending appeal. Do not include the originating case number(s) for this case. Fed. Cir. R. 47.4(a)(5). See also Fed. Cir. R. 47.5(b).

☐ None/Not Applicable ☒ Additional pages attached

Regents of the University of California v. Satco Products, Inc., CAFC No. 22-1107	Regents of the University of California v. Satco Products, Inc., CAFC No. 22-1109	Satco Products, Inc. v. The Regents of the University of California, IPR No. 2020-00813
Satco Products, Inc. v. The Regents of the University of California, IPR No. 2020-00695	The Regents of the University of California v. The Home Depot, Inc. et al, CDCA No. 2:20-cv-07943	The Regents of the University of California v. General Electric Company, CDCA No. 2:19-cv-10792
Satco Products, Inc. v. The Regents of the University of California, EDNY No. 2:19-cv-06444	The Regents of the University of California v. Walmart Inc., CDCA No. 2:19-cv-06570	The Regents of the University of California v. Amazon.Com, Inc. et al, CDCA No. 2:19-cv-06571

6. Organizational Victims and Bankruptcy Cases. Provide any information required under Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees). Fed. Cir. R. 47.4(a)(6).

☒ None/Not Applicable ☐ Additional pages attached

4. Legal Representatives

Ewa A. Wojciechowska
Gilbert T. Smolenski

5. Related Cases

The Regents of the University of California v. Target Corporation
CDCA No. 2:19-cv-06572

The Regents of the University of California v. Ikea of Sweden AB et al.
CDCA No. 2:19-cv-06573

Pursuant to Federal Circuit Rules 27 and 34(e)(2) and Federal Rule of Appellate Procedure 27, Intervenor Feit Electric Co., Inc. (“Feit Electric”) respectfully requests leave of the Court to increase the number of counsel arguing on the side of the Appellee and Intervenor from two to three.

This appeal arises from a Section 337 investigation conducted by the Appellee International Trade Commission (the “Commission”). The Appellant The Regents of the University of California (“Regents”) was the complainant in the investigation below and appeals the Commission’s determination that the respondents did not violate Section 337. The Intervenor in this appeal were the respondents below who have intervened in support of the Commission’s determination.

In its opening brief, Regents argues, among other things, that the Commission erred in its construction of the claim term “transparent.” *See* Dkt. No. 66 at 24–36. Both the Commission and the other Intervenor respond with arguments in support of the Commission’s construction. *See* Dkt. No. 77 at 31–41; Dkt. No. 84 at 49–49. Feit Electric agrees with the Commission’s ultimate determination that the “transparent” claim element is not met, but presents a distinct alternative grounds for

affirmance. Specifically, Feit Electric argues that, if the Court decides to reconsider the Commission’s construction, then it should reject Regents’ construction of “transparent” and instead adopt Feit Electric’s construction. *See* Dkt. No. 79 at 30–40.

On this basis, Feit Electric seeks to increase the number of arguing counsel to three so that its counsel can present arguments regarding Feit Electric’s construction of the claim term “transparent.” For the other issues on appeal—where all Intervenorors are in agreement—Feit Electric and the other Intervenorors have agreed that counsel for Satco Products, Inc. will argue. Finally, the Commission’s counsel will argue on behalf of the Commission.

For the reasons stated herein, Feit Electric respectfully requests that the Court grant leave to increase the number of arguing counsel to three.

Feit Electric discussed this motion with the other parties to this appeal, all of whom indicated that they do not oppose this motion and do not intend to file any response.

Dated: January 30, 2023

Respectfully submitted,

/s/ Jay Reiziss

Jay Reiziss

Alexander P. Ott

MCDERMOTT WILL & EMERY LLP

The McDermott Building

500 North Capitol Street, NW

Washington, DC 20001

Phone: (202) 756-8000

Fax: (202) 756-8087

Kal K. Shah

Simeon Papacostas

BENESCH, FRIEDLANDER, COPLAN &

ARONOFF LLP

71 South Wacker Drive, Suite 1600

Chicago, IL 60606

Phone: (312) 212-4979

Fax: (312) 767-9192

**CERTIFICATE OF COMPLIANCE
PURSUANT TO FED. R. APP. P. 27(d)(2)(A), 32(g)**

Pursuant to Fed. R. App. P. 27(d)(2)(A) and 32(g), I hereby certify that the attached motion complies with the type-volume limitation and typeface requirements. The motion has been prepared in a proportionally spaced typeface using Century Schoolbook for Microsoft Office 365 in Times New Roman 14-point font, and the motion contains 352 words according to the word-count function of the word-processing system.

/s/ Jay Reiziss
Jay Reiziss